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DECEMBER 10, 1997

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FLIESLER, DUBB, MEYER & LOVEJOY
BRIAN L. MARCUS
FOUR EMBARCADERO CENTER, SUITE 400
SAN FRANCISCO, CA 94111

UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



100579708A

CORRECTED
NOTICE

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/22/1997

REEL/FRAME: 8714/0040

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

PHIPPS, RICHARD D.

DOC DATE: 09/15/1997

ASSIGNEE:

GARDINER, BARRY N.
13 CHARLES HILL ROAD
ORINDA, CALIFORNIA 94563

ASSIGNEE:

MCDONALD, PAUL T.
13337 CAMPUS DRIVE
OAKLAND, CALIFORNIA 94619

SERIAL NUMBER: 08781579

FILING DATE: 01/09/1997

PATENT NUMBER:

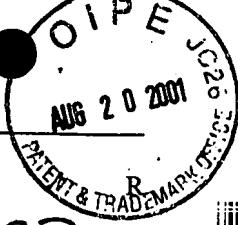
ISSUE DATE:

GDNR 9003

BIM
Ced

8714/0040 PAGE 2

MARGARET LASALLE, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



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22 1997

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

12-08-1997



MR9-22-97

To the Honorable Commissioner o.

100579708

Original documents or copy thereof.

1. Name of conveying party:
Richard D. Phipps

2. Name and address of receiving parties:

Name: Barry N. Gardiner

Address: 13 Charles Hill Road

Orinda, CA 94563

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: September 15, 1997

Additional name(s) & address(es) attached? Yes No

4. Application number or patent number:

A. Patent Application No.: 08/781,579

B. Patent No(s).:

Title: **SUTURED STAPLE SURGICAL FASTENERS, INSTRUMENTS, AND METHODS FOR MINIMALLY INVASIVE VASCULAR AND ENDOSCOPIC SURGERY**

Filed Date: January 9, 1997

Additional numbers attached? Yes No

If this document is being filed together with a new application, the execution date of the application is: ??

5. Name and address of party to whom correspondence concerning document should be mailed:

6. Total Number of applications and patents involved: 1 \$40.00 each

Name: Brian I. Marcus, Esq.

7. Total fee (37 CFR 3.41).....\$ 40.00

Address: Fliesler, Dubb, Meyer & Lovejoy

Check Enclosed

Four Embarcadero Center, Suite 400

8. Fee Authorization. Authorization is given to charge

San Francisco, CA 94111

any additional fees or credit any

Telephone: (415) 362-3800

overpayment to Deposit Account

No. 06-1325.

Copy. (A duplicate copy of this authorization is
not enclosed.)

9. Statement and signature.

402

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Brian I. Marcus

Attorney (Reg. No.: 34,511)

Signature

September 17, 1997

Date

10. Total number of pages to be recorded: 4 (2 page cover sheet and 2 page document).

2. Name and address of receiving parties (cont'd):

Name: Paul T. McDonald

Address: 13337 Campus Drive

Oakland, CA 94619

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RECEIPT ACCTG. DIV.

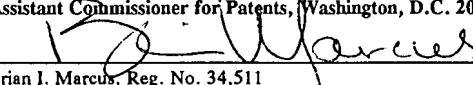
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application) PATENT APPLICATION
Inventors: Barry N. Gardiner et al.)
SC/Serial No.: 08/781,579)
Filed: January 9, 1997)
Title: SUTURED STAPLE SURGICAL FASTENERS,)
INSTRUMENTS, AND METHODS FOR)
MINIMALLY INVASIVE VASCULAR)
AND ENDOSCOPIC SURGERY)

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on November 5, 1997.


Brian I. Marcus, Reg. No. 34,511 (Attorney Signature)
Signature Date: November 5, 1997

REQUEST FOR CORRECTION OF NOTICE OF
RECORDATION OF ASSIGNMENT DOCUMENT

U.S. Patent and Trademark Office
Assignment Division
Box ASSIGNMENTS
North Tower Building, Suite 10C35
Washington, D.C. 20231

Dear Sir/Madam:

On November 3, 1997 we received the enclosed Notice of Recordation of Assignment Document which lists the assignee as Barry N. Gardiner. However, as indicated in the Assignment and Assignment Recordation Form Cover Sheet filed on September 17, 1997 there are two assignees: Barry N. Gardiner and Paul T. McDonald.

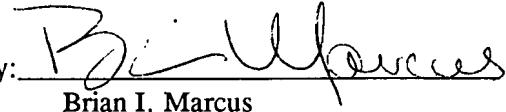
Please correct the Notice of Recordation to include both of the assignees.

There is no fee believed due with this communication. The Commissioner is hereby authorized to charge underpayment of any fees associated with this communication to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: November 5, 1997

By:



Brian I. Marcus
Reg. No. 34,511

FLIESLER, DUBB, MEYER & LOVEJOY LLP
Four Embarcadero Center, Suite 400
San Francisco, California 94111-4156
Telephone: (415) 362-3800

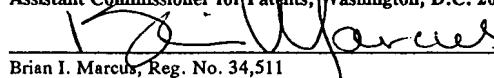
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application) PATENT APPLICATION
Inventors:) Barry N. Gardiner et al.
SC/Serial No.:) 08/781,579
Filed:) January 9, 1997
Title:) SUTURED STAPLE SURGICAL FASTENERS, INSTRUMENTS, AND METHODS FOR MINIMALLY INVASIVE VASCULAR AND ENDOSCOPIC SURGERY

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited in the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231, on November 5, 1997.



Brian I. Marcus, Reg. No. 34,511
Signature Date: November 5, 1997

(Attorney Signature)

**REQUEST FOR CORRECTION OF NOTICE OF
RECORDATION OF ASSIGNMENT DOCUMENT**

U.S. Patent and Trademark Office
Assignment Division
Box ASSIGNMENTS
North Tower Building, Suite 10C35
Washington, D.C. 20231

Dear Sir/Madam:

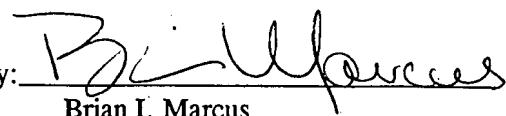
On November 3, 1997 we received the enclosed Notice of Recordation of Assignment Document which lists the assignee as Barry N. Gardiner. However, as indicated in the Assignment and Assignment Recordation Form Cover Sheet filed on September 17, 1997 there are two assignees: Barry N. Gardiner and Paul T. McDonald.

Please correct the Notice of Recordation to include both of the assignees.

There is no fee believed due with this communication. The Commissioner is hereby authorized to charge underpayment of any fees associated with this communication to Deposit Account No. 06-1325. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

Date: November 5, 1997

By: 
Brian I. Marcus
Reg. No. 34,511

FLIESLER, DUBB, MEYER & LOVEJOY LLP
Four Embarcadero Center, Suite 400
San Francisco, California 94111-4156
Telephone: (415) 362-3800

ASSIGNMENT

WHEREAS, the undersigned, Richard D. Phipps, a resident of 790 La Crosse Drive, Morgan Hill, California (hereinafter termed "Assignor"), is a co-inventor of certain new and useful improvements in:

**SUTURED STAPLE SURGICAL FASTENERS, INSTRUMENTS, AND
METHODS FOR MINIMALLY INVASIVE VASCULAR AND
ENDOSCOPIC SURGERY**

and has executed a declaration or oath for an application for a United States patent disclosing and identifying the invention:

1. __ On the __ day of ____, 19__;

Or

2. Said application having SC/Serial Number 08/781,579 and filed on the 9th day of January, 1997.

WHEREAS Barry N. Gardiner, a resident of 13 Charles Hill Road, Orinda, California, and Paul T. McDonald, a resident of 13337 Campus Drive, Oakland, California (hereinafter termed "Assignees") wish to jointly acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered by said Assignor (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by said Assignor to have been received in full from said Assignees:

1. Said Assignor does hereby sell, assign, transfer and convey unto said Assignees, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any and all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Assignor hereby covenants and agrees to cooperate with said Assignees to enable said Assignees to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Assignor shall include

prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignees (a) for perfecting in said Assignees the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Assignor in providing such cooperation shall be paid for by said Assignees.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignees, their successors, assigns and other legal representatives, and shall be binding upon said Assignor, said Assignor's heirs, legal representatives and assigns.

4. Said Assignor hereby warrants and represents that said Assignor has not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Assignor has executed and delivered this instrument to said Assignees on the date of acknowledgment before the Notary Public as given below.



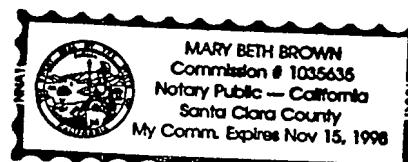
(Assignor's Signature)

State of CALIFORNIA)
County of SANTA CLARA)

On 15 September '97 before me, MARY BETH BROWN, Notary Public
RICHARD D. (name and title of officer)
personally appeared Phipps, personally known to me (or proved to me on the basis
of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within
instrument and acknowledged to me that he/she/they executed the same in his/her/their
authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s),
or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature



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MAY 27 1999

MORRISON & FOERSTER

MAY 18, 1999

MORRISON & FOERSTER LLP
HARRY J. MACEY
755 PAGE MILL ROAD
PALO ALTO, CA 94304-1018



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231



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UNITED STATES PATENT AND TRADEMARK OFFICE
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RECORDATION DATE: 02/22/1999

REEL/FRAME: 9782/0137
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:
GARDINER, BARRY N.

DOC DATE: 10/31/1997

ASSIGNEE:
MCDONALD, PAUL T.

DOC DATE: 10/31/1997

ASSIGNEE:
ELECTIVE VASCULAR INTERVENTIONS,
INC.
2500 FABER PLACE, SUITE 290
BUILDING 2
PALO ALTO, CALIFORNIA 94303

SERIAL NUMBER: 08781579
PATENT NUMBER:

FILING DATE: 01/09/1997
ISSUE DATE:

9782/0137 PAGE 2

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



03-01-1999

REC



DEPARTMENT OF COMMERCE

Patent and Trademark Office
Docket No. 388402000900

100974446

2.22.99

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Barry N. Gardiner and Paul T. McDonald

Individuals Association
 General Partnership Limited Partnership
 Corporation-State Other

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other:

Execution Date: October 31, 1997

2. Name and address of receiving party(ies):

Name: Elective Vascular Interventions, Inc.
Internal Address: Building 2
Street Address: 2500 Faber Place, Suite 290
City: Palo Alto, State: CA ZIP: 94303

Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)
08/781,579

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Harry J. Macey
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018

6. Total number of applications and patents involved: One

7. Total fee (37 C.F.R. § 3.41): \$40.00

 Enclosed Authorized to be charged to deposit account, referencing Attorney Docket 388402000900

8. Deposit account number:
- 03-1952

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 03-1952.

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name: Harry J. Macey
Registration No: 32,818

Signature

2-17-99

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Total number of pages comprising cover sheet, attachments and document: 4

02/28/1999 J.WATKINS 00000057 08781579 40.00

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office
Office of Public Records
Box Assignments
Crystal Gateway 4, Room 335
Washington, D.C. 20231

EXHIBIT A

**ASSIGNMENT
TO
ELECTIVE VASCULAR INTERVENTIONS, INC.**

In exchange for
(the "Company")
the undersigned hereby assigns to the Company all of the right, title and interest of the undersigned
in and to any and all
patents and patent applications relating to surgical fasteners and instruments for the
deployment of surgical fasteners, including but not limited to

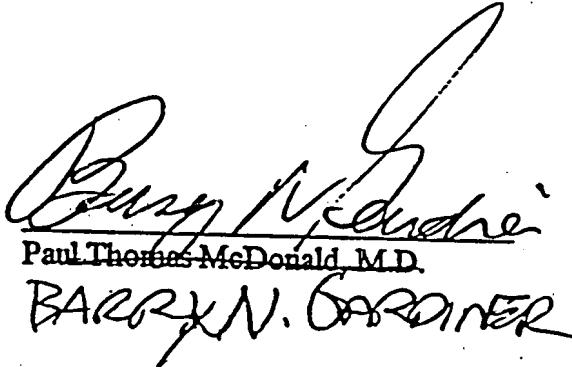
(ii) patent applications:

Filed Patent Application entitled "Sutured Staple Surgical Fasteners, Instruments and Methods for Minimally Invasive Vascular and Endoscopic Surgery", SC/Serial No. 08/781,579, filed January 9, 1997 (Attorney Ref No. GDNR 9003). Preliminary Amendment filed on August 28, 1997.

With respect to

patents and patent applications assigned by the undersigned to the Company hereunder, the undersigned will assist the Company in any reasonable manner to obtain for the Company's benefit patents in any and all countries and the undersigned will execute, when requested, patent applications and assignments thereof to the Company or persons designated by it, and any other lawful documents deemed necessary by the Company to carry out the purposes of this Assignment. The undersigned will further assist the Company in every way to enforce any patents obtained, including without limitation, testifying in any suit or proceeding involving any of said patents or by executing any documents deemed necessary by the Company.

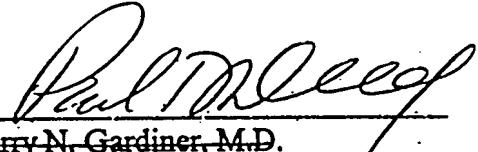
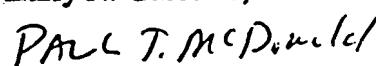
Dated: October 31, 1997


Paul Thomas McDonald, M.D.
BARRY N. GARDNER

With respect to

and patent applications assigned by the undersigned to the Company hereunder, the undersigned will assist the Company in any reasonable manner to obtain for the Company's benefit patents in any and all countries and the undersigned will execute, when requested, patent applications and assignments thereof to the Company or persons designated by it, and any other lawful documents deemed necessary by the Company to carry out the purposes of this agreement. The undersigned will further assist the Company in every way to enforce any patents obtained, including without limitation, testifying in any suit or proceeding relating any of said patents or by executing any documents deemed necessary for the Company.

Dated: October 31, 1997


Barry N. Gardiner, M.D.

PAUL T. McDONALD



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DECEMBER 27, 1999

PTAS

MORRISON & FOERSTER LLP
HARRY MACEY
755 PAGE MILL ROAD
PALO ALTO, CA 94304-1018



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/04/1999

REEL/FRAME: 010283/0158

NUMBER OF PAGES: 4

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

VASCULAR INTERVENTIONS, INC.

DOC DATE: 09/24/1999

ASSIGNEE:

COALSCENT SURGICAL, INC.
559 EAST WEDDELL DRIVE
SUNNYVALE, CALIFORNIA 94089

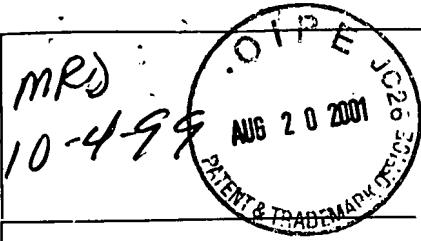
SERIAL NUMBER: 08781579

FILING DATE: 01/09/1997

PATENT NUMBER:

ISSUE DATE:

SHIRLIE SIMON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



10-07-1999



101163558

U.S. DEPARTMENT OF COMMERCE

SHEET

Patent and Trademark Office
Docket No: 388402000900

OCT

To the Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Vascular Interventions, Inc.

- Individual(s) Association
 General Partnership Limited Partnership
 Corporation-State Other

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

- Assignment Merger
 Security Agreement Change of Name
 Other

Execution Date: September 24, 1999

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)
08/781,579

B. Patent No.(s)

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Harry Macey
Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018

6. Total number of applications and patents involved: One (1)

7. Total fee (37 C.F.R. § 3.41): \$40.00

 Enclosed Authorized to be charged to deposit account, referencing Attorney Docket 3884020009008. Deposit account number: 03-1952The Commissioner is hereby authorized to charge any fees under 37 C.F.R. § 1.21 that may be required by this paper, or to credit any overpayment to Deposit Account No. 03-1952.

DO NOT USE/THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Name: Jim Cai
Registration No: P-44,579

Signature

Date

9/29/99

Total number of pages comprising cover sheet, attachments and document: Four (4)

10/03/1999 MTHAI1 00000300 08781579

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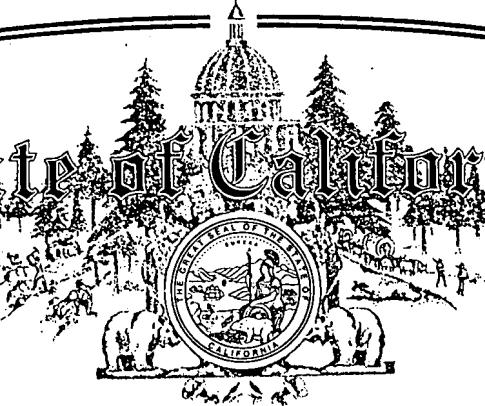
40.00 DP

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office
Office of Public Records
Box Assignments
Crystal Gateway 4, Room 335
Washington, D.C. 20231



State of California



SECRETARY OF STATE

I, *BILL JONES*, Secretary of State of the State of California,
hereby certify:

That the attached transcript of 2 page(s) was
prepared by and in this office from the record on file, of
which it purports to be a copy, and that it is full, true
and correct.

IN WITNESS WHEREOF, I execute this
certificate and affix the Great Seal of
the State of California this day of

SEP 24 1999



A handwritten signature in cursive script that reads "Bill Jones".

Secretary of State

10522159

2122885
**AMENDED STATEMENT
BY
FOREIGN CORPORATION**

FILED
In the office of the Secretary of State
of the State of California

MAR 19 1999

Bill Jones
BILL JONES, Secretary of State

COALESCENT SURGICAL, INC., a corporation organized and existing under the laws of Delaware, and which is presently qualified for the transaction of intrastate business in the State of California, makes the following statement:

That the name of the corporation has been changed to that hereinabove set forth and that the name relinquished at the time of such change was Elective Vascular Interventions, Inc.

COALESCENT SURGICAL, INC.

By: *Michael W. Hall*

Michael W. Hall, Secretary

State of Delaware
Office of the Secretary of State

PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF
DELAWARE, DO HEREBY CERTIFY THAT THE SAID "ELECTIVE VASCULAR
INTERVENTIONS, INC.", FILED A CERTIFICATE OF AMENDMENT, CHANGING
ITS NAME TO "COALESCENT SURGICAL, INC.", THE TWENTY-SIXTH DAY OF
FEBRUARY, A.D. 1999, AT 4:30 O'CLOCK P.M.



Edward J. Freel

Edward J. Freel, Secretary of State



2777399 8320

991099135

AUTHENTICATION:

9627464
03-15-99

DATE: